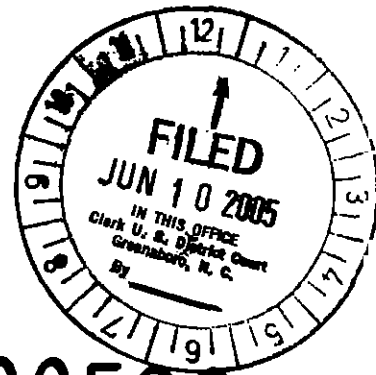


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



Javier Chavez Lopez,

Petitioner,

v.

United States of America,

Respondent.

1:05CV00528

1:03CR388-1

ORDER TO FILE AND STAY

Petitioner in this action has submitted a motion to vacate, set aside, or correct his sentence. He has failed to submit his motion on the correct form, however. Also, his filing deadline is near. Therefore, the present motion will be filed, but further proceedings will be stayed for twenty (20) days from the entry of this order, or until Petitioner submits three properly completed section 2255 motion forms which the Clerk will send to him, whichever occurs first. Once the completed motion forms are received by the Clerk from Petitioner, the present motion will be stricken from the record and replaced with the motion form. Failure to comply with this order may result in the dismissal without prejudice of this motion.

IT IS THEREFORE ORDERED that this motion be filed but that other proceedings in this case be stayed for twenty (20) days from the date of entry of this order, or until Petitioner submits three properly completed section 2255 motion forms which the Clerk will send to him, whichever occurs first. The Clerk is directed to send three section 2255 motion forms and instructions to Petitioner.

Wallace W. Dixon

Wallace W. Dixon, U.S. Magistrate Judge

June 10, 2005